

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 6th day of August 2003.

Bail application no. 627 of 2003.

Order on the bail application of the accused.

CRIMINAL SIDE

Gulab Singh S/o Sri D.S. Dhami
R/o 193, Avas Vikas Colony
Haldwani Dist. Haldwanji

..accused applicant

Versus

State of Uttaranchal.

-----Opposite party.

Arising out of case crime No. 192 of 2003,
U/ss 457, 380, 411, 413 IPC
Police Station -Pithoragarh
District-Pithoragarh.

By the Court

Hon'ble Irshad Hussain J.

Heard Sri Rakesh Thapliyal, learned counsel for the applicant and learned A.G.A.

Applicant accused is alleged to have retained stolen property but the question whether he knew the same to be the stolen property, is to be seen at the time of trial of the case when the evidence is to be adduced by the prosecution. At this stage there is no prima facie evidence that he knowingly retained possession of said property. There is no previous conviction against him and considering these aspects, the bail application is allowed.

The applicant Gulab Singh shall be released on his executing personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. Pithoragarh.

06-8-2003

ISB:

(Irshad Hussain J.)